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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,554	11/02/2001	Hong Thi Nguyen	36968-262341	5036

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EXAMINER
LE, KAREN L

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2614	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 April 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7,8,10-22,24-30 and 32-42* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5, 7-8, 10-22, 24-30 and 32-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-5, 7-8, 10-12, 14-22, 24-30, 32-34, 36-42 are rejected under 35 U.S.C.

103(a) as being unpatentable over Cai et al. (U. S. 6,590,970) in view of Kamel (U.S.

6,009,150) and further in view of Jagadish et al (U.S. 5,987,108).

Regarding claims 1,10, 24 and 32, Cai teaches a method and for setting a limit

on the duration of a voice channel communication, comprising the steps of: receiving a

communication from a subscriber on a first network element (fig. 1, item 116), said

communication causing said first network element to send a request to a second

network element (Fig. 1, item 118), in response to said request, sending a message

from said second network element to said first network element, causing said first

network element to request entry of demarcation information, wherein said demarcation

information comprises a demarcation interval, receiving said demarcation information at

said first network element, communicating said demarcation information to said second

network element, causing said second network element to store said demarcation

information (Col. 3, lines 32-41, Col. 4, lines 8-30 and 50-60) and wherein said

subscriber provides said dermarcation information.

Cai does not teach a method for setting a subscriber-specified limit on the

duration of a voice channel communication wherein said subscriber provides said

demarcation information. However, Kamel teaches a method for setting a limit on the

duration of a voice channel communication wherein said subscriber provides said

demarcation information (Col.2, Lines 45-51, Col. 3, lines 1-26) and abstract, lines 4-7).

Kamel teaches a method that allows the user to predetermine the desired period of time

for free or subsidized calling. The user may request additional promotional messages

at any time during the connection in order to extend a free or subsidized connection

period provide by the system. Thus, a user may earn time allotment, which closely

matches the desired length of the call. Thus it would have been obvious to one of

ordinary skill in the art at the time the invention was made to incorporate Kamel's

feature into Cai's system in order to provide flexibility to allow callers to extend their free

or subsidized time allotment during the call. It is always advantageous to give an option

to earn an extended time allotment for free or subsidized calling by listening to multiple

message at any time during a call at the user's request.

Cai does not teach initiating a billing of the subscriber for accepting and enforcing

said demarcation information wherein said subscriber provides said demarcation

information and wherein said demarcation information specifies at least a monetary

amount. However, Jagadish teaches initiating a billing of the subscriber for accepting

and enforcing said demarcation information wherein said subscriber provides said

demarcation information and wherein said demarcation information specifies a

monetary amount (Abstract lines 13-14, Col. 3, lines 34 to Col. 6, lines 36). Jagadish

teaches a customer define a budgetary category of the total cost of calls. Thus, it would

have been obvious to one of ordinary skill in the art at the time the invention was made

to incorporate the teach of Jagadish into Cai's system in order to have a subscriber

initiating a billing of the subscriber for accepting and enforcing said demarcation

information and where said demarcation information specifies a monetary amount. A

customer defining a budgetary category of the cost of her/his call is old and well known

in telecommunication field.

Regarding claims 2 and 18, Cai does not teach the step of storing said

demarcation information comprises: comparing said demarcation interval to a default

demarcation interval; determining which quantity is a lesser quantity; and storing said

lesser quantity as said demarcation interval. However, Jagadish comparing said

demarcation interval to a default demarcation interval; determining which quantity is a

lesser quantity; and storing said lesser quantity as said demarcation interval (Col. 5,

lines 29-45).

Regarding claims 3, 11-12, 17, 25 and 28, Cai further teaches the demarcation

information further comprises a time period to which the demarcation interval applies

(Col. 4, lines 50-60 and Col. 3, lines 32-41).

Regarding claims 4, 14, 19-20, 26, 36, 39-40, Cai teaches the demarcation information further comprises identification information for a first station participating in said voice channel communication (Fig. 1, item 102, Col. 1, lines 21-23 and Col 4, lines 19-24).

Regarding claims 5, 15, 27 and 37, Cai teaches said demarcation information further comprises identification information for a second station participating in said voice channel communication (Fig. 1, item 130, Col. 1, lines 21-23, Col. 4, lines 8-9).

Regarding claims 16 and 38, Cai does not teach receiving of said demarcation information comprises receiving said demarcation interval as a monetary quantity. However Jagadish teaches receiving of said demarcation information comprises receiving said demarcation interval as a monetary quantity (Col. 1, lines 30-32).

Regarding claims 7, 21, 29 and 41, Cai teaches said first network element comprises a service switching point (Fig. 1, item 116).

Regarding claims 8, 22, 30 and 42, Cai teaches said second network element comprises a service control point (Fig. 1, item 118).

Regarding claims 9, 31 and 43, Cai teaches said second network element further comprises a billing element, billing for accepting and enforcing said demarcation information (Col. 6, lines 1-4).

Regarding claims 33-34, Cai teaches first network element comprises a

demarcation signal component and a communication disconnection component (col. 3,

lines 39-42).

3.   Claims 13 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Cai et al. (U. S. 6,590,970) in view of Kamel (U.S. 6,009,150), further in view of

Jagadish and further in view of Smith (U.S. 5,559,871)

Regarding claims 13 and 35 Cai does not teach identification information

comprises a password, said password causing said second network element to

determine that said demarcation interval is infinite. However, Smith teaches

identification information comprises a password, said password causing said second

network element to determine that said demarcation interval is infinite (col. 5, lines 29-

45).

Response to Arguments

4.   Applicant's arguments with respect to claims 1-5, 7-8, 10-22, 24-30 and 32-42

have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen Le whose telephone number is 571-272-7487. The examiner can normally be reached on Mon and Thurs 8:30 am-5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Karen le
KLL

January 5, 2007
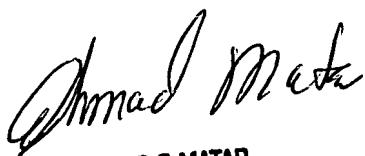
AHMAD F. MATAR
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